

### REMARKS

Claims 1 and 6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,615,312 to Kohler. The rejections are respectfully traversed.

Referring to Fig. 4, the Kohler reference teaches a printer 30 in communication with the color management system 34 of a computer 20 by way of an interface 47. The printer 30 includes a bitmap memory 37 and a printhead 36, wherein the printhead 36 including 32 ink jet nozzles arranged in a four column by eight row pattern. The Kohler reference does not teach that the bitmap memory 37 is disposed on, or otherwise associated with, the printhead 36. Rather, Fig. 4 and the supporting specification (col. 5, l. 40 to col. 6, l. 31) suggest that the bitmap memory 37 is separate from and not disposed on the printhead 36.

In contrast, claims 1 and 6 of the present application require a printhead memory disposed on the printhead, wherein the printhead memory includes data pertaining to the array of nozzles.

Inasmuch as the Kohler reference does not disclose, among other things, (1) a printhead memory disposed on the printhead or (2) a printhead memory containing data pertaining to the array of nozzles, it is submitted that the Kohler reference cannot, as a matter of law, anticipate claims 1 and 6 of the present application or any claims depending therefrom.

Claims 2-5, 7-11 and 13-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kohler reference in view of U.S. Patent No. 6,517,184 to Bruch et al. The rejections are respectfully traversed.

The Bruch et al. reference teaches a method for servicing a printhead including identifying malfunctioning nozzles on the printhead during a detection operation, storing the results of the detection operation in a memory device and servicing the identified malfunctioning nozzles with a cleaner unit. However, the Bruch et al. reference does not teach positioning the memory device on the printhead.

Thus, like the Kohler reference discussed above, the Bruch et al. reference does not teach or suggest “a printhead memory containing data pertaining to said nozzles of said array”

Serial No. 10/822,359  
Docket No. 2003-0782.02  
Response to Second Non-Final

disposed on or otherwise associated with the printhead, as required by the pending claims of the present application.

Accordingly, it is submitted that the Examiner's proposed combination of the Kohler reference with the Bruch et al. reference does not teach each and every limitation of the pending claims of the present application, including the limitation requiring that the printhead memory is associated with the printhead housing. Therefore, it is submitted that the Office action fails to establish a *prima facie* case of obviousness and withdrawal of the rejections of claims 2-5, 7-11 and 13-15 is respectfully requested. See MPEP § 2143.03.

Claim 12 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kohler reference in view of the Bruch et al. reference and further in view of U.S. Patent No. 6,719,391 to Kojima. For the reasons expressed above, the rejection of claim 12 under § 103(a) is respectfully traversed.

Accordingly, it is submitted that the application is in condition for allowance and formal notice thereof is respectfully requested.

Applicants hereby authorize the Commissioner under 37 C.F.R. § 1.136(a)(3) to treat any paper that is filed in this application, which requires an extension of time, as incorporating a request for such an extension. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,



Victor J. Wasylyna  
Reg. No. 52,345

THOMPSON HINE LLP  
P.O. Box 8801  
Dayton, Ohio 45401-8801  
PH (937) 443-6812  
E-mail: IPGroup@ThompsonHine.com  
448521.1